IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

WP(C).No. 1554 of 2007(I)

PETITIONERS:

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1. T.C.AYYAPPAN, S/O. NEROTHY,
   AGED 49 YEARS, THATTARACHALIL HOUSE,
   CHERUVATTOOR, ERAMALLOOR VILLAGE,
   NELLIKUZHI, KOTHAMANGALAM.

2. SHEREEFA MOIDEEN, W/O. MOIDEEN,
   EDAYALIKUDI HOUSE, NELLIKUZHI P.O.,
   KOTHAMANGALAM.

BY ADV. SRI.ALEXANDER JOSEPH

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
   SECRETARY TO GOVERNMENT,
   DEPARTMENT OF EDUCATION, GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE DIRECTOR OF HIGHER SECONDARY
   SCHOOLS, HOUSING BOARD BUILDING,
   THIRUVANANTHAPURAM.

3. THE REGIONAL DIRECTOR OF HIGHER
   SECONDARY SCHOOLS, EDAPPALLY, ERNAKULAM.

4. THE PRINCIPAL,
   GOVERNMENT MODEL HIGHER SECONDARY SCHOOL,
   CHERUVATTOOR, KOTHAMANGALAM, ERNAKULAM DISTRICT.

BY GOVT. PLEADER SRI. A.J. VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.1554 OF 2007

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Dated this the 25th day of January, 2007

JUDGMENT

Children of petitioners are studying for plus two Humanities in the fourth respondent's School. The fourth respondent suspended them from the School on 17.11.2006. Then subsequently he removed them from the School without issuing notice and without conducting enquiry. This is the complaint of the petitioners.

2. Learned Government Pleader appearing on behalf of the respondents got instruction and submits that if the children of the petitioners comply with the following conditions, they can be re-admitted.

Condition No.1: The students in question must tender their written apology to the Principal.

Condition No.2: They will have to give written undertaking that they will not create any problems in the School.

Condition No.3: They will have to give an apology before the full assembly.

3. Learned counsel for the petitioners submits that the children of the petitioners will comply with all these conditions.

Accordingly the writ petition is disposed of as follows:

If the children of the petitioners comply with all the conditions, the fourth respondent will re-admit them. Learned counsel for the petitioners submits that because of the long period they have been out of School, they may have difficulty in securing the required attendance. Learned Government Pleader submits that this aspect will also be favourably considered by the third respondent. This submission is recorded.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.